

finest to the Victims Fund. The increased criminal fines will enhance the Justice Department's ability to support advocacy groups who work so hard on behalf of the victims of crime across America.

The Antitrust Division's criminal enforcement program has been very successful in the past years, particularly in the area of criminal enforcement against international cartels affecting well over \$10 billion in commerce. With these new tools, the Antitrust Division can be even more effective in enforcing our antitrust criminal laws and deterring and preventing future offenses against American consumers.

This bill also repeals an archaic provision of law, enacted in 1916, that allows private lawsuits with potential of treble damages against importers or producers for unfair pricing provided they had the intent to injure a U.S. industry. The World Trade Organization, WTO, has ruled that this act violates the United States obligations to address unfair pricing through the specified administrative measures of the Antidumping Agreement. Repealing this statute is an important and necessary step in complying with our obligations under negotiated international treaties.

I urge my colleagues to support these important measures and support the Antitrust Improvements Act of 2003.

Mr. LEAHY. Mr. President, I am pleased to join Senator HATCH today in offering this bill to increase criminal penalties against those who monopolize or restrict the market using unfair and illegal business practices.

In an age that combines robust levels of international trade with the threats of Enron-style accounting, we must be increasingly vigilant to the threats of white-collar crime to our economy. Legitimate business can only thrive when bad actors realize that violations of antitrust law will be met with the strictest of penalties. Our bill increases the maximum sentence for a violation of the Sherman antitrust laws from 3 to 10 years. Fines to corporations are increased tenfold to a maximum of \$100 million per infraction. This increase will make it clear to corporate wrongdoers that no antitrust violation is affordable. These changes bring antitrust penalties in line with other white-collar crimes and send a clear message that the United States will not allow any company to abuse its consumers by misusing market power.

Our bill also repeals an old and rarely used provision, the Antidumping Act of 1916. Congress must eliminate this provision in order to come into compliance with a ruling by the World Trade Organization. The U.S. Trade Representative and the Department of Justice both support the repeal of this act, and indeed have made a joint request for such legislation to the Congress.

I am pleased to have worked with the chairman on this important legislation and urge my colleagues to support this bill.

I ask unanimous consent to print in the RECORD the joint request by the U.S. Trade Representative and the Department of Justice.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT, THE UNITED STATES TRADE REPRESENTATIVE,

Washington, DC, July 20, 2001.

Hon. RICHARD B. CHENEY,  
President of the Senate,  
Washington, DC.

DEAR MR. PRESIDENT: We are transmitting the enclosed draft bill to repeal a provision of law enacted on September 8, 1916, regarding prevention of unfair methods of competition (15 U.S.C. § 72, c. 463, Title VIII, § 801, 39 Stat. 798). That provision provides for a private right of action for treble damages, as well as for criminal penalties in an action brought by the U.S. government, for international price discrimination.

The Administration proposes repeal of this provision because it is redundant of other U.S. laws providing remedies for international price discrimination. To our knowledge, during the past 85 years no plaintiff has obtained a final judgment on the merits under this rarely-invoked law and no government enforcement action has been taken. Furthermore, this provision is inconsistent with the obligations of the United States under the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement).

We would appreciate it if you would lay the draft bill before the Senate. An identical proposal is being transmitted to the Speaker of the House.

The Office of Management and Budget has advised that there is no objection to the presentation of this proposal to Congress and that its enactment would be in accord with the program of the President.

Sincerely,

JOHN ASHCROFT,  
Attorney General.

ROBERT B. ZOELLICK,  
United States Trade  
Representative.

By Mr. DOMENICI:

S. 1081. A bill to amend section 504(a) of the Higher Education Act of 1965 to eliminate the 2-year wait out period for grant recipients; to the Committee on Health, Education, Labor, and Pensions.

Mr. DOMENICI. Mr. President, I rise today to introduce a bill that will amend Title V of the Higher Education Act. Specifically, this bill will eliminate the 2-year wait-out period now required between applications by eligible Hispanic Serving Institutions for grants under Title V of the Higher Education Act.

Title V of the Higher Education Act is the primary vehicle used to target urgently needed funds to Hispanic Serving Institutions. Grants under this section can be used by higher education institutions to strengthen academic quality, institutional management, and financial stability. These grants are essential to institutions that provide and increase the number of educational opportunities available to Hispanic students.

Under current guidelines, in order to qualify for a grant under Title V, an in-

stitution must have at least 25 percent full time, Hispanic undergraduate student enrollment, and not less than 50 percent of its Hispanic student population must be low income. Title V grants are awarded for 5 years, with a minimum 2-year wait-out period after the termination of a grant period before eligibility to apply for another grant. During Fiscal Year 2002, 191 institutions were awarded grants.

Title V's 2-year wait-out period impedes Hispanic Serving Institutions' efforts to implement continuing programs with long range solutions to Hispanic higher education challenges. Eliminating the 2-year wait-out period will be of great importance to equipping our Nation's Hispanic Serving Institutions with the continuous funding that they need to best answer complex challenges. In 2000, Congress eliminated the wait-out period for Tribally Controlled Colleges and Universities, Alaskan Native and Native Hawaiian-serving institutions. Historically Black Colleges and Universities also do not have a wait-out period. It is now time for us to eliminate the wait-out period for Hispanic Serving Institutions.

Hispanic Serving Institutions provide the quality education essential to full participation in today's society. Many students in my home State of New Mexico have benefited from the academic excellence that Hispanic Serving Institutions seek to provide. Title V grants are intended to provide assistance to these less advantaged, developing institutions, and preventing these institutions from reapplying for grants for 2 successive years is obstructing their development.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1081

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### **SECTION 1. ELIMINATION OF THE 2-YEAR WAIT OUT PERIOD FOR GRANT RECIPIENTS.**

Section 504(a) of the Higher Education Act of 1965 (20 U.S.C. 1101c(a)) is amended—

(1) by striking "PERIOD.—" and all that follows through "The Secretary" and inserting "PERIOD.—The Secretary"; and

(2) by striking paragraph (2).

#### **SUBMITTED RESOLUTIONS**

#### **SENATE RESOLUTION 145—DESIGNATING JUNE 2003 AS "NATIONAL SAFETY MONTH"**

Mr. FITZGERALD (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 145

Whereas the mission of the National Safety Council is to educate and influence society to adopt safety, health, and environmental policies, practices, and procedures

that prevent and mitigate human suffering and economic losses arising from preventable causes;

Whereas the National Safety Council works to protect lives and promote health with innovative programs;

Whereas the National Safety Council, founded in 1913, is celebrating its 90th anniversary in 2003 as the premier source of safety and health information, education, and training in the United States;

Whereas the National Safety Council was congressionally chartered in 1953, and is celebrating its 50th anniversary in 2003 as a congressionally chartered organization;

Whereas, even with advancements in safety that create a safer environment for Americans, such as improvements in technology and new legislation, the unintentional-injury death toll is still unacceptable;

Whereas citizens deserve a solution to nationwide safety and health threats;

Whereas such a solution requires the cooperation of all levels of government, as well as the general public; and

Whereas the summer season, traditionally a time of increased unintentional-injury fatalities, is an appropriate time to focus attention on both the problem and the solution: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 2003, as "National Safety Month"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe such month with appropriate ceremonies and activities that promote acknowledgement, gratitude, and respect for the advances of the National Safety Council and its mission.

Mr. FITZGERALD. Mr. President, I rise today to submit a resolution that would designate June 2003 as National Safety Month.

National Safety Month is not just a tribute to our Nation's advances in health and safety and our never-ending efforts to protect lives. It represents a standard of excellence in safety to which we as a Nation must continue to aspire. While our Nation has enjoyed great advances in safety, we must continue to work to reduce the number of unintentional and preventable injuries and deaths. As summer is traditionally a time in which the number of unintentional deaths increases, it is appropriate to dedicate a month at the beginning of the season to the improvement of safety and health in our country.

During National Safety Month, the National Safety Council will provide tips, articles and information to raise awareness and promote safe driving, home and community safety, general preparedness, and workplace safety.

I would like to commend the National Safety Council for the contributions that it has made to public safety. I am proud that the National Safety Council is headquartered in my home State of Illinois. The National Safety Council is celebrating its 90th anniversary as an organization this year, and its 50th anniversary as a federally chartered organization. Congress chartered the National Safety Council in 1953 to educate and influence society to adopt safety, health, and environmental policies, practices, and procedures that prevent and mitigate human

suffering and economic loss arising from preventable causes. The National Safety Council fulfills its mission through a network of approximately 50 local and regional chapters that provide safety and health programs and services to communities across the United States. The Council currently has 37,500 members.

I thank Senator FEINSTEIN for joining me to submit this resolution that declares June 2003 National Safety Month and recognizes the National Safety Council for its important work. During a time when homeland security is foremost on the minds of Americans, this month will continue to heighten public awareness of the ongoing quest to save and protect lives. I urge all of my colleagues to join me in supporting this resolution.

SENATE CONCURRENT RESOLUTION 45—EXPRESSING APPRECIATION TO THE GOVERNMENT OF KUWAIT FOR THE MEDICAL ASSISTANCE IT PROVIDED TO ALI ISMAEEL ABBAS AND OTHER CHILDREN OF IRAQ AND FOR THE ADDITIONAL HUMANITARIAN AID PROVIDED BY THE GOVERNMENT AND PEOPLE OF KUWAIT, AND FOR OTHER PURPOSES

Ms. LANDRIEU submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 45

Whereas the plight of Ali Ismaeel Abbas, 12, of Baghdad, Iraq, who lost his parents and several other relatives, suffered severe burns, and lost both his arms on March 29, 2003, during the military conflict in Iraq, has aroused concern on the part of people all around the world;

Whereas, with the approval of the Cabinet of the Government of Kuwait, First Deputy Prime Minister and Foreign Minister of Kuwait Shaykh Sabah al-Ahmed al-Jabir Al-Sabah personally called for Ali to receive medical treatment in Kuwait;

Whereas the Ministry of Health of Kuwait has agreed to care for the orphaned Ali;

Whereas Dr. Ahmad al-Shatti, spokesman for the Ibn Sina Hospital for Specialized Surgery, which has expertise in burn surgery, expressed welcome for Ali on behalf of the hospital;

Whereas Ali was successfully medically evacuated by United States military airlift from Baghdad, Iraq, to Nassiriya for medical tests and then to Kuwait City, Kuwait, on April 15, 2003;

Whereas doctors at the sophisticated Saud A. Alabtain Center for Burns and Plastic Surgery at Ibn Sina Hospital immediately provided medical care to stabilize Ali and then performed surgery to treat his burns; and

Whereas the Government and people of Kuwait are providing medical supplies and hospital assessment missions in Iraq, supplying water pumped through a pipeline they laid to the Iraqi city of Umm Qasr, and operating the Kuwait Humanitarian Operations Center, where the United States military coordinates relief operations with nongovernmental organizations, United Nations agencies, and the Government of Kuwait: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That the Congress of the United States—

(1) formally expresses its gratitude to the Government of Kuwait for its magnanimity in receiving Ali Ismaeel Abbas, for providing Ali life-saving medical care, and for undertaking to provide for his long-term recuperation and rehabilitation;

(2) commends the Government and people of Kuwait for their support of and welcome for Ali and other wounded children of Iraq;

(3) conveys the goodwill of Congress and the people of the United States that has been engendered by the medical assistance, water, and other humanitarian aid that the Government and people of Kuwait have provided their neighbors;

(4) encourages the Government and people of Kuwait to continue their humanitarian efforts; and

(5) expresses firm confidence that such humanitarian action will not only help heal the wounds of Ali, but will also restore comity between Kuwait and Iraq and within the region and deepen the friendship between the peoples of Kuwait and the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 687. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill S. 1050, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 688. Mr. KENNEDY (for himself, Mrs. FEINSTEIN, and Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 689. Mr. DASCHLE proposed an amendment to the bill S. 1050, supra.

SA 690. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 1050, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 691. Mrs. MURRAY (for herself, Ms. SNOWE, Mrs. BOXER, and Ms. CANTWELL) submitted an amendment intended to be proposed by her to the bill S. 1050, supra; which was ordered to lie on the table.

SA 692. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 693. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 694. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 695. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1050, supra; which was ordered to lie on the table.

SA 696. Mr. GRAHAM, of South Carolina proposed an amendment to the bill S. 1050, supra.

SA 697. Mr. REID (for himself, Mr. DORGAN, and Mr. NELSON, of Florida) proposed an amendment to the bill S. 1050, supra.

SA 698. Mr. NELSON, of Florida (for himself and Mrs. BOXER) submitted an amendment intended to be proposed by him to the